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OFFICE OF PETITIONS

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In re Application of
Nishikawa, *et al.*
Application No. 09/994,891
Filed: November 28, 2001
Attorney Docket No. Q66604

DECISION GRANTING
PETITION

This is a decision on the February 8, 2002 petition requesting that the above-identified application be accorded a filing date of November 28, 2001.

The United States Patent and Trademark Office (hereinafter "USPTO") received this application on November 28, 2001. However, on December 11, 2001, the Office of Initial Patent Examination (hereinafter "OIPE") mailed a "Notice Of Incomplete Nonprovisional Application" (hereinafter "notice") noting that the application had not been granted a filing date due to Applicant's failure to include drawings in this application. The notice further stated that the filing date would be the date of receipt of the omitted items unless a petition was filed that successfully showed that the missing item(s) had been included with the application. A two month deadline was set for replying.

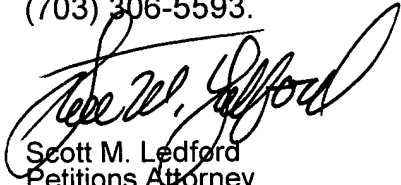
Petitioner responded with the February 8, 2002 filing of this petition. The petition included a copy of a return receipt postcard. The copy of applicants' postcard receipt indicates receipt of four (4) sheets of drawings with the rest of the application on November 28, 2001.

In view of the above, it is concluded that the drawings were filed on November 28, 2001. Accordingly, *this petition is **granted**.*

The \$130.00 petition fee paid for this petition is accordingly unnecessary. As per Petitioner's request, this fee will be refunded to Petitioner's deposit account (DA# 19-4880).

The application is being returned to the Office of Initial Patent Examination for processing with a filing date of November 28, 2001 using the copies of the drawings supplied with the petition.

Any questions regarding this decision should be directed to Attorney Scott M. Ledford at (703) 306-5593.



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